

**TITLE 1: GOVERNMENT AND ADMINISTRATION**  
**DIVISION 4. PURCHASING, REVENUE AND TAXATION**

**Chapter 4: Refuse Disposal Land Use Fees.**

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**14.041 Authority and Purpose.**

This chapter is enacted pursuant to Sections 25830 and 25831 of the Government Code of the State of California for the purpose of raising revenue to assist in defraying costs involved in the acquisition, operation, and maintenance of refuse disposal sites in the unincorporated area of the County.

Environmental protection requirements have necessitated a change from the burning of refuse to cut-and-cover land-fill disposal methods in areas of the County where it is not feasible to maintain a pay-at-the-gate disposal program. Accordingly, a schedule of refuse disposal land use fees is hereby established as set forth in this chapter.

Adopted Ordinance #1923 (1974);

**14.042 Land Areas for Fee Purposes.**

Land within the unincorporated area of the County is hereby classified into the following areas:

(a) Area No. 1 -- All land within the boundaries covered by the following Assessor's Book numbers [referred to in Section 16.0222 of the San Bernardino County Code, respectively, as the "West Mountain Area", the "East Mountain Area", the "Trona and Baker Areas", and the "Desert Area excluding the Trona and Baker Areas" of the County]:

**West Mountain:** 295,296, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, and 348.

**East Mountain:** 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 446, 447, 2328, and 2350.

**Trona-Baker:** 483, 485, 486, 503, 543, pp. 23-28 inclusive, and 544, pp. 21-39 inclusive, pp. 44-49 inclusive.

**Desert Area (excluding Trona-Baker Areas):**

181,182, 183, 351, 355-357, 394-428, 432-445, 448-470, 472, 473,475, 477-482, 488-498, 512, 515-517, 521, 527-533, 537-540, 580-635, 651, 659, 661, 3100-3103, 3128-3131.

(b) Area No. 2. All land within the boundaries covered by the following Assessor's Book numbers:

484, 500-502 inclusive, 504-507 inclusive, 518-520 inclusive, 541-542 inclusive, 543, pp. 1-22 and 29-31 inclusive, 544, pp.1-20 and 40-43 inclusive, 545-546 inclusive, 551-553 inclusive, 556-558 inclusive, 562-563 inclusive, 567-573 inclusive, 643-649 inclusive.

(c) Area No. 3. All land not included in Area No. 1 or Area No. 2 (referred to in Section 16.0222 of the San Bernardino County Code as the "Valley" area of the County).

Adopted Ordinance #1923 (1974); Amended Ordinance 2287 (1978); Amended Ordinance #3445 (1991);

**14.043 Area No. 1 -- Fee Schedule.**

The Board of Supervisors finds and determines that refuse disposal sites are provided for use by owners of property within each separate area of Area No. 1. The Board of Supervisors also finds and determines that it is not feasible in the East Mountain Area, West Mountain Area, or the Trona and Baker Areas of Area No. 1 to establish a pay-at-the-gate management system of refuse disposal sites. The low volume of waste brought to the refuse disposal sites located in such areas of Area No. 1, resulting from the rural nature of such areas, makes it economically unfeasible to incur the additional cost of acquiring and installing scales and retaining personnel to weigh the refuse and collect the resulting gate fee. Accordingly, parcels of property within the West Mountain Area, East Mountain Area and Trona and Baker Areas of Area No. 1 shall be subject to a refuse disposal land use fee in accordance with that schedule of fees set forth in Section 16.0222 of the San Bernardino County Code, with no pay-at-the-gate fee being imposed at refuse disposal sites in such areas of Area No. 1 [except to the extent necessary to prevent disposal of refuse without the payment of any fee, as provided in Subsection 16.0222(c)(3)].

Within the Desert Area, excluding the Trona and Baker Areas, of Area No. 1 a pay-at-the-gate management system of refuse disposal sites is utilized. The Board of Supervisors finds and determines that the more urbanized

nature of the Desert Area, excluding the Trona and Baker Areas, of Area No. 1 and the resulting greater volume of refuse received at refuse disposal sites located in this area of Area No. 1, make the equipment and personnel costs of a pay-at-the-gate system economically feasible. However, because of the lack of mandatory collection of residential refuse and the limited voluntary collection by use of commercial haulers of refuse generated on residential property, a land use fee will be imposed on residential property in order to discourage illegal dumping in the desert. Refuse generated on parcels of property used for commercial purposes is less likely to be illegally dumped because a greater percentage of such refuse is collected by commercial haulers and because the gate fee resulting from self-hauling is less likely to deter the use of the refuse disposal site, as such fee can be treated as an additional cost of doing business. Therefore, only residential parcels of property within the Desert Area, excluding the Trona and Baker Areas, of Area No. 1 shall be subject to a refuse disposal land use fee in accordance with that schedule of fees set forth in Section 16.0222 of the San Bernardino County Code. The payment of such a land use fee shall entitle the owners of such residential parcels (or a licensed commercial hauler designated by an owner) to utilize refuse disposal sites without the payment of any pay-at-the-gate fee for ordinary refuse generated on such residential property (ordinary refuse does not include demolition-type waste generated on any such parcel of property). Owners of parcels of property within the Desert Area, excluding the Trona-Baker Areas, of Area No. 1 which are not residential are provided refuse disposal sites, but with respect to their refuse the refuse disposal sites are to be operated on a pay-at-the-gate basis. Accordingly, no refuse disposal land use fee is established for the nonresidential, improved parcels within the Desert Area, excluding the Trona-Baker Areas, of Area No. 1.

Adopted Ordinance #1923 (1974); Amended Ordinance #3445 (1991); Amended Ordinance #3458 (1991);

**14.044 Area No. 2 - No Fee.**

The Board of Supervisors finds and determines that no refuse disposal sites are provided within reasonable distance to be of use to owners of property within Area No. 2. Accordingly no refuse disposal land use fee is established for parcels within Area No. 2.

Adopted Ordinance #1923 (1974);

**14.045 Area No. 3 - No Fee.**

The Board of Supervisors finds and determines that refuse disposal sites are provided for owners of property within Area No. 3, but that such refuse disposal sites are operated on a pay-at-the-gate basis. Accordingly, no refuse disposal land use fee is established for parcels within Area No. 3.

Adopted Ordinance #1923 (1974);

**14.046 Repealed by Ordinance 3077 (1986).**

**14.047 Collection.**

The fees set forth in Section 16.0222 of this Code shall be billed and collected by the County Tax Collector as part of the regular county tax billing. Any revised billings shall be by revised tax bill.

Adopted Ordinance #1923 (1974); Amended Ordinance 3077 (1986);

**14.048 Categories of Land Use.**

The fees set forth in Section 16.0222 of this Code have been fixed in accordance with the land use codes established by the County Assessor. Should the owner of any parcel of land demonstrate to the Administrator of the Public Works Agency, or to his designated representative, by evidence satisfactory to the Administrator or representative that such land use code is inappropriate to such parcel, the Administrator is authorized and directed to prepare and submit a revised billing for such parcel in accordance with the fee applicable to that land use code appropriate to the evidence presented. Where a single business is divided by a highway, the fee shall be determined as though there was no such division.

Adopted Ordinance #1923 (1974); Amended Ordinance 3292 (1979);

**14.049 "No Fee" Category.**

In addition to other categories established hereunder, and pursuant to Section 25830 of the Government Code, there is hereby established a category to be designated the "X" category for parcels of land for which no services are provided and for which no fee shall be charged. Inclusion of parcels within this category shall be by application therefor and shall be determined by the Board of Supervisors on a case-by-case basis.

Adopted Ordinance #1923 (1974);